

**TOWN WARRANT
STATE ELECTION
November 4, 2014**

Hampshire, ss.

To one of the Constables of the Town of Amherst

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Amherst who are qualified to vote in Elections to vote at:

Precinct 1	North Congregational Church Hall	Precinct 6	Fort River School
Precinct 2	North Fire Station	Precinct 7	Crocker Farm School
Precinct 3	Immanuel Lutheran Church	Precinct 8	Munson Memorial Library
Precinct 4	Large Activity Room, Bangs Community Center	Precinct 9	Wildwood School
Precinct 5	Large Activity Room, Bangs Community Center	Precinct 10	Glass Room, Bangs Community Center

on **TUESDAY, THE FOURTH DAY OF NOVEMBER, 2014**, from 7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

SENATOR IN CONGRESS.....	FOR THIS COMMONWEALTH
GOVERNOR AND LIEUTENANT GOVERNOR	FOR THIS COMMONWEALTH
ATTORNEY GENERAL	FOR THIS COMMONWEALTH
SECRETARY OF STATE	FOR THIS COMMONWEALTH
TREASURER.....	FOR THIS COMMONWEALTH
AUDITOR	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	SECOND DISTRICT
COUNCILLOR	EIGHTH DISTRICT
SENATOR IN GENERAL COURT	HAMPSHIRE, FRANKLIN & WORCESTER DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	THIRD HAMPSHIRE DISTRICT
DISTRICT ATTORNEY.....	NORTHWESTERN DISTRICT
REGISTER OF PROBATE.....	HAMPSHIRE COUNTY

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would eliminate the requirement that the state's gasoline tax, which was 24 cents per gallon as of September 2013, (1) be adjusted every year by the percentage change in the Consumer Price Index over the preceding year, but (2) not be adjusted below 21.5 cents per gallon.

A YES VOTE would eliminate the requirement that the state's gas tax be adjusted annually based on the Consumer Price Index.

A NO VOTE would make no change in the laws regarding the gas tax.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would expand the state's beverage container deposit law, also known as the Bottle Bill, to require deposits on containers for all non-alcoholic non-carbonated drinks in liquid form intended for human consumption, except beverages primarily derived from dairy products, infant formula, and FDA approved medicines. The proposed law would not cover containers made of paper-based biodegradable material and aseptic multi-material packages such as juice boxes or pouches.

The proposed law would require the state Secretary of Energy and Environmental Affairs (EEA) to adjust the container deposit amount every five years to reflect (to the nearest whole cent) changes in the consumer price index, but the value could not be set below five cents.

The proposed law would increase the minimum handling fee that beverage distributors must pay dealers for each properly returned empty beverage container, which was 2¼ cents as of September 2013, to 3½ cents. It would also increase the minimum handling fee that bottlers must pay distributors and dealers for each properly returned empty reusable beverage container, which was 1 cent as of September 2013, to 3½ cents. The Secretary of EEA would review the fee amounts every five years and make appropriate adjustments to reflect changes in the consumer price index as well as changes in the costs incurred by redemption centers. The proposed law defines a redemption center as any business whose primary purpose is the redemption of beverage containers and that is not ancillary to any other business.

The proposed law would direct the Secretary of EEA to issue regulations allowing small dealers to seek exemptions from accepting empty deposit containers. The proposed law would define small dealer as any person or business, including the operator of a vending machine, who sells beverages in beverage containers to consumers, with a contiguous retail space of 3,000 square feet or less, excluding office and stock room space; and fewer than four locations under the same ownership in the Commonwealth. The proposed law would require that the regulations consider at least the health, safety, and convenience of the public, including the distribution of dealers and redemption centers by population or by distance or both.

The proposed law would set up a state Clean Environment Fund to receive certain unclaimed container deposits. The Fund would be used, subject to appropriation by the state Legislature, to support programs such as the proper management of solid waste, water resource protection, parkland, urban forestry, air quality and climate protection.

The proposed law would allow a dealer, distributor, redemption center or bottler to refuse to accept any beverage container that is not marked as being refundable in Massachusetts.

The proposed law would take effect on April 22, 2015.

A YES VOTE would expand the state's beverage container deposit law to require deposits on containers for all non-alcoholic, non-carbonated drinks with certain exceptions, increase the associated handling fees, and make other changes to the law.

A NO VOTE would make no change in the laws regarding beverage container deposits.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would (1) prohibit the Massachusetts Gaming Commission from issuing any license for a

casino or other gaming establishment with table games and slot machines, or any license for a gaming establishment with slot machines; (2) prohibit any such casino or slots gaming under any such licenses that the Commission might have issued before the proposed law took effect; and (3) prohibit wagering on the simulcasting of live greyhound races.

The proposed law would change the definition of “illegal gaming” under Massachusetts law to include wagering on the simulcasting of live greyhound races, as well as table games and slot machines at Commission-licensed casinos, and slot machines at other Commission-licensed gaming establishments. This would make those types of gaming subject to existing state laws providing criminal penalties for, or otherwise regulating or prohibiting, activities involving illegal gaming.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would prohibit casinos, any gaming establishment with slot machines, and wagering on simulcast greyhound races.

A NO VOTE would make no change in the current laws regarding gaming.

QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

SUMMARY

This proposed law would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

Employees who work for employers having eleven or more employees could earn and use up to 40 hours of paid sick time per calendar year, while employees working for smaller employers could earn and use up to 40 hours of unpaid sick time per calendar year.

An employee could use earned sick time if required to miss work in order (1) to care for a physical or mental illness, injury or medical condition affecting the employee or the employee’s child, spouse, parent, or parent of a spouse; (2) to attend routine medical appointments of the employee or the employee’s child, spouse, parent, or parent of a spouse; or (3) to address the effects of domestic violence on the employee or the employee’s dependent child. Employees would earn one hour of sick time for every 30 hours worked, and would begin accruing those hours on the date of hire or on July 1, 2015, whichever is later. Employees could begin to use earned sick time on the 90th day after hire.

The proposed law would cover both private and public employers, except that employees of a particular city or town would be covered only if, as required by the state constitution, the proposed law were made applicable by local or state legislative vote or by appropriation of sufficient funds to pay for the benefit. Earned paid sick time would be compensated at the same hourly rate paid to the employee when the sick time is used.

Employees could carry over up to 40 hours of unused sick time to the next calendar year, but could not use more than 40 hours in a calendar year. Employers would not have to pay employees for unused sick time at the end of their employment. If an employee missed work for a reason eligible for earned sick time, but agreed with the employer to work the same number of hours or shifts in the same or next pay period, the employee would not have to use earned sick time for the missed time, and the employer would not have to pay for that missed time. Employers would be prohibited from requiring such an employee to work additional hours to make up for missed time, or to find a replacement employee.

Employers could require certification of the need for sick time if an employee used sick time for more than 24 consecutively scheduled work hours. Employers could not delay the taking of or payment for earned sick time because they have not received the certification. Employees would have to make a good faith effort to notify the employer in advance if the need for earned sick time is foreseeable.

Employers would be prohibited from interfering with or retaliating based on an employee's exercise of earned sick time rights, and from retaliating based on an employee's support of another employee's exercise of such rights.

The proposed law would not override employers' obligations under any contract or benefit plan with more generous provisions than those in the proposed law. Employers that have their own policies providing as much paid time off, usable for the same purposes and under the same conditions, as the proposed law would not be required to provide additional paid sick time.

The Attorney General would enforce the proposed law, using the same enforcement procedures applicable to other state wage laws, and employees could file suits in court to enforce their earned sick time rights. The Attorney General would have to prepare a multilingual notice regarding the right to earned sick time, and employers would be required to post the notice in a conspicuous location and to provide a copy to employees. The state Executive Office of Health and Human Services, in consultation with the Attorney General, would develop a multilingual outreach program to inform the public of the availability of earned sick time.

The proposed law would take effect on July 1, 2015, and states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

A NO VOTE would make no change in the laws regarding earned sick time.

QUESTION 5: COMMUNITY PRESERVATION ACT

Shall this Town amend its acceptance of sections 3 to 7, inclusive of chapter 44B of the General Laws, as approved by its legislative body?

SUMMARY

This question involves amendment of the Town's acceptance of G.L. c.44B, §§3-7, also known as the Community Preservation Act (the "Act"), by increasing the surcharge imposed on real property from one and one-half percent (1½ %) to three percent (3%) of the tax levy, as determined annually by the Board of Assessors. The Act allows municipalities to impose a surcharge on real property to establish a dedicated source of funds for the three purposes of the Act: open space, including land for recreational use; historic resources; and community housing. Acceptance of the Act also entitles municipalities to receive an annual distribution from the Massachusetts Community Preservation Trust Fund, which supplements the funds collected pursuant to the surcharge imposed by the Town and increases the available funds for eligible projects.

As approved under Article 2 of the February 12, 2001 Special Town Meeting and by the voters at the 2001 Annual Town Election, the surcharge was initially fixed at one percent (1%) of the annual property tax assessed on real property. An increase in the surcharge to one and one-half percent (1½ %) was later approved under Article 38 of the May 1, 2006 Annual Town Meeting and by the voters at the 2006 biennial state election. On a motion made under Article 37 of the April 28, 2014 Annual Town Meeting, the Amherst Town Meeting voted to increase the surcharge to three percent (3%). If approved, the additional surcharge would be imposed on taxes assessed for fiscal years beginning July 1, 2014.

The Act contains certain mandatory exemptions and also allows municipalities to approve certain optional exemptions. The Town has adopted two such optional exemptions from the surcharge: (1) any property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in Amherst; and, (2) one hundred thousand dollars (\$100,000.00) of the value of each taxable parcel of residential real property. Regardless of whether this question passes or fails, these exemptions will continue to be applicable in the Town of Amherst.

QUESTION 6: THIS QUESTION IS NOT BINDING

Shall the state senator from this district be instructed to vote in favor of legislation that would prohibit candidates for state or local office from taking campaign contributions from industries regulated by such offices; regulate campaign spending by corporations; require increased disclosure of contributions to, and spending by, groups unaffiliated with candidates or political parties; provide voters with a tax rebate to make contributions to their preferred candidates; prohibit elected officials and their senior staff from negotiating a future job while in office and engaging in any lobbying activity for five years once they leave office; and increase penalties for candidates and groups that violate campaign finance laws?

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 6th day of October, 2014.

Select Board

Hampshire, ss.

In obedience to the within Warrant, I have this day as directed posted true and attested copies thereof at the following designated places, to wit:

Precinct 1 North Amherst Post Office
Precinct 2 North Fire Station
Precinct 3 Immanuel Lutheran Church
Precinct 4 Amherst Post Office
Precinct 5 Town Hall

Precinct 6 Fort River School
Precinct 7 Crocker Farm School
Precinct 8 Munson Memorial Library
Precinct 9 Wildwood School
Precinct 10 Campus Center, UMass

Constable, Town of Amherst